

To the Federal Communication Commission Committee Members:  
I applaud you for your diligence for ethical custodianship of our societal morals, i.e. "the super bowl 2004 incident" and leading the way which allowed organizations to redress public moral offenses from continuing, i.e. "shutting up Howard Stern" in respect to what is presented to the general public-at-large.

Any attempt of one special interest group to stifle the practices of another is the best example of suppression of freedom of speech.

For the National Association of Broadcasters (NAB) to attempt the silencing of the satellite radio industries response to the needs of its customers and their presentation of public information is only highlighting the fact that the NAB and its membership are really trying to capture a segment of information that is in the publics best interest with the support of H.R. 4026. The reason is obvious, if the Satellite Radio community (customers) is tuned into satellite radio. They obviously are not tuned into any NAB membership broadcasts of the same information, thus they will lose the advertising dollars needed to maintain corporate viability. Ergo, if they can't reach a certain segment market, then by reason of logic they are unable to deliver the cliental base needed to continue the advertising company's reason to exist.

This is all driven by financial viability. The NAB and its membership are forgetting one very vital and critical thing; Satellite Radio is providing its paying client base with an excellent alternative to broadcast commercialism and exploitation. I am a paying customer of XM Satellite Radio. I pay for the programming monthly. Now they are providing me with valuable information that I may use to determine the direction that I can use to reach my objectives, daily.

The NAB and its membership are attempting to dictate what I and other like-minded individuals what is provided and by whom or by whatever specific entity. This is in contravention of the first amendment and what it provides for the "People" as in "We The People".

I propose that the government agency that is mandated to protect my interests and not the interest of a "business" entity has an obligation to me, the American citizen.

I therefore direct, which is the proper manner in which to address you since you work for me, the FCC, my government, to not be manipulated by a business that's sole design is to maintain a monopoly on free information and the freedom to disseminate the same aforementioned information in a manner best suited to the needs of a population segment. You are to maintain Satellite Radio's ability to operate in the manner that it does, thus providing its paying customers the services that they have asked for and been provided by their responsive and customer satisfaction focused organization. We are paying for it specifically.

It is my belief that the introduction of this resolution is a veiled attempt at self-interest. It is obvious that the NAB is closed-minded. They are really practicing closed marketing and not free marketing. For them it's time to circle the wagons, thus historically keeping the livestock from escaping converse to the popular belief and notion of keeping the enemy out and protecting the family.

Representatives Charles "Chip" Pickering (R-MS) and Gene Green (D-TX) are showing their true colors as pawns to the special interest group of the NAB.

I leave you with this thought. There are always three sides to any story. His/her side, my side and The truth (not to be mistaken for a truth). Well, in this instance there's the NAB, the XM Satellite Radio and my (The People - the customer's) side. Corporations are a benefit to society. They are reflective of society. But, they are not society. A microcosm to be certain, but a reflection nonetheless. The only true factor to be considered here is that of the paying customer's sides. They, we, meaning I, have made a decisive choice. We pay for it every month. Let that be the determining factor here and not the bullying rally chortle of an industry running scared.

I firmly oppose H.R. 4026. Do not submit to the will of H.R. 4026 or support the special interest group (NAB) that would benefit from its victory. Uphold my freedom to receive information in the manner that pleases me. There is no detriment to the general public in allowing the satellite radio industry the power to relay information in the manner that best fulfills the will the paying general public their customers.

With regards,

Anthony D. Bernard